

## LOCAL NEWS.

FROM MONDAY'S DAILY, DEC. 7

## EXCOMMUNICATED.

At a session of the High Council of Emery Stake, convened at Castle Dale, December 5th, Noah T. Guymon, Sen., was excommunicated from the Church of Jesus Christ of Latter-day Saints for the crime of lewd and lascivious conduct and adultery.

By order of the High Council.

O. J. ANDERSON, Clerk.

**Another of the Vile.**—This afternoon the officers arrested Ed. Butterfield, charging him with having, in June last, resorted to the house of Mrs. Fields, for immoral purposes, contrary to Section 1996 of the Compiled Laws of Utah. The accused is associated in a land agency, whose place of business is located at the corner of First South and West Temple streets. He was released on giving \$1,000 bail to appear for trial at 2 p. m. to-morrow, T. C. Armstrong and Wm. Showell being sureties.

**The Proceedings.**—We merely mentioned the fact that certain convictions had been found in the justice's court on Saturday, Joe Bush and Chas. E. Pearson being the guilty persons. The details, as developed by the evidence, are too obscene to be published in their entirety. In the case of the former, lewd conduct with Fanny Davenport was clearly and disgustingly established, he having sought her house for that purpose and gratified himself after the manner of "the rest of us." In the latter case, the particulars were so intensely vile as to be absolutely nauseating, the language used and the actions engaged in being beneath the level of the vilest of the vile. One Mrs. S. J. Field and a girl named Lydia Bailey jointly consorted with his nocturnal hours with "gentle dalliance," and through the exposure thereof he has become all at once a persecuted citizen! Both these "gentlemen" doubtless think the morals of the people of Utah need correcting.

The testimony in both cases was ample and conclusive, and whatever Mr. Varian or anyone else may say to the contrary, it was positively unimpeachable. R. B. Young, Wm. Salmon and William Hilton were the witnesses in the first case, and Dr. Clinton, John Pickett and A. J. Burt those in the second. No exception was or could be taken by the defense to the testimony or credibility of the witnesses, but in the cases a demurrer was offered on the ground that the facts stated in the complaint did not constitute an offense.

## THIS IN AMERICA?

THE CASE AGAINST S. H. LEWIS DISMISSED.

THE U. S. DISTRICT COURT REFUSES TO PROSECUTE ITS INQUITOUS OFFICERS AND THEIR VILE ASSOCIATES.

THE REPUBLICAN OFFICE-HOLDERS IN UTAH SHOW THEIR TRUE COLORS.

BIRDS OF A FEATHER, ETC.—WHAT NEXT?

The Third District Court, which was adjourned to convene at 10 o'clock this morning, was not called to order as promptly as usual. The whispered consultations of several attorneys, the hurrying to and fro of bailiffs, and the unusually vindictive expression on the face of the assistant United States district attorney, seemed to portend an occurrence of more than ordinary interest, though just what it was was not made public. The first inkling of what might be expected was a remark made by Assistant U. S. District Attorney Lewis to Justice Pyper, when the latter presented the papers in the Lewis case in the justice's court, to the effect that the case would probably be dismissed. Such a proceeding was hardly anticipated, however, even by those who had least confidence in the honor and integrity of Federal officials in Utah, but the sequel proved it to be true, and is an exhibition to the American nation of the depth of moral depravity to which the pretended "regenerators of Utah" have fallen.

Upon the opening of court, Assistant District Attorney Varian called up the case of The People of the Territory vs. Assistant U. S. District Attorney Samuel H. Lewis, who had been tried and convicted in the justice's court for resorting to a house of ill-fame for lewdness, and sentenced to imprisonment for three months and to pay a fine of \$200, from which judgment the defendant had appealed to the Third District Court. Mr. Varian stated that he had investigated the matter, which was presented to him yesterday, and would submit his conclusions, that the Court might take such action as the circumstances should warrant. The case was a prosecution under section 1996 of the Compiled Laws, and the defendant was charged with having resorted to a certain house for certain immoral purposes named in the statute. This was one of a number of notorious cases. Mr. Varian said he was prepared to state, from information obtained before the grand jury and in the public press that this statute had been on the book for several years, and had been virtually a dead letter, no prosecutions having

been made under it. The grand jury, in their report claimed that there were several houses of ill-fame, whose existence was well known to the community and to the officers of the law. In March or April of the present year, a number of persons, some associated with the city government, yet not in their official capacity, united together and raised money. These persons had agreed to hire houses, and had placed prostitutes in those houses to induce certain persons to enter therein to commit crime, and made provision whereby the actions of those persons might be observed. Two now notorious places were opened on the same street, there being placed in one house two women in the other one. One of the particular designs of this undertaking was to inveigle certain citizens and to drag down the Governor, the first citizen of the Territory, and rewards were offered and paid for this service. All of the police force, except two, when off duty, gave their services as individuals, as spies and spotters in this work. One selectman of the county gave \$500 for the purpose of carrying it out. The city and county authorities disclaimed any official knowledge of the conspiracy until it reached its end and it became public. Varian said this was a private scheme, and did not have for its object the suppression of existing crime and nuisances, but the creation of new nuisances; it was for no public good, but for public scandal; it was founded in malice, and in revenge for fancied wrong. When the time for exposure came, the women were sent from the Territory; hired counsel were secured to prosecute under a city ordinance; complaints were filed in great number, and some arrests were made, and for the first time the city prosecuted this class of cases. On being tested the arrests were declared void, and this decision left the parties arresting liable to suit for false imprisonment. Recourse was then had to the Territorial statute. Had the ordinance been valid, it might well be said it made no difference where the offense was committed. The prosecutions were renewed under the Territorial statute, which had for its object the suppression of houses of ill-fame; the punishment of those who resorted thereto was only an incident to assist in such suppression, and not to punish the individuals. There had now been found a criminal and corrupt scheme to open houses, with the object of striking down and scandalizing respectable reputations; every man connected with this conspiracy was guilty of a crime. The grand jury had decided for themselves that every one of them were guilty and had promptly indicted them. The character of evidence on which the prosecutions were proposed to stand was not good. Places of concealment had been provided in the houses where two or three persons were permitted to observe, through cracks and holes, what was done and said by persons they had enticed there. One of the main witnesses was under indictment for polygamy and unlawful cohabitation, and was a defendant in a suit for bonds on one of the women—strong circumstantial evidence that he was one of the conspirators; the other two witnesses were also in the conspiracy, one of them a police officer. They had hired the harlot to scandalize the community and to do a great public wrong. If any of the conspirators were on trial the others would be accomplices, and their testimony should not be believed. Every motive to induce a man to testify falsely existed in these cases; it was a labor of love as well as of pride; some of the persons surrendered themselves for lucre, others for the good of a cause; but all united to accomplish a common end. The depth of infamy to which these persons sank indicated that their testimony would not be taken by any honorable court in the land. Public opinion even set its face against informers, had when officers. There was a long list of cases in English history, in which the English and Irish people set their faces against this testimony, and it took all the power of the British courts to enforce their decrees in the face of this opinion. In this country such testimony would not be accepted, and such prosecutions continued in the face of public opinion, and the law be allowed to be prostituted. These witnesses were not engaged in detecting crime, but were producing crime, debauching and leading into the downward path young and old, all that they might have the pleasure of scandalizing character and breaking hearts. The public good did not require that the prosecution proceed against this man, the defendant. The crime had been created to accomplish no public good. Now the District Attorney was called to prosecute the conspirators, and also to prosecute their victims. It was not right to prosecute both. If the conspirators were to be followed, he should not oppress and harass men who were their victims in the performance of this public duty. "The law at times is compelled to use agencies which would be scorned by honorable men, but never yet has there been such a scheme presented in a court of justice as this, and it should not be permitted to be carried out to its legitimate and natural conclusion! I do not believe one of these scoundrels who has crawled to the threshold of the house of the harlot in order that he might give these things broadcast, and debauch the mind of the public. I would not believe such a man if he stood in any

court, even in the high court of Heaven itself. I do not believe any American jury would believe such infamous scoundrels. As prosecuting officer I will set my face against these prosecutions, and with my consent no one connected with the prosecution will prosecute these cases, or allow their prosecution in this court. I refuse to prosecute them or to allow them to be prosecuted! I move to dismiss this action. I do not believe the testimony! I know the would be no conviction had, and I am sure there ought not to be!"

The Court then asked that the grand jury be called, and after a few moments' waiting, that body filed into court and took their seats. Judge Zane then proceeded to give, in substance, the following

## DECISION:

The case of The People vs. S. H. Lewis has been appealed from the justice's court to this court, and the assistant prosecuting attorney for the United States enters a motion to dismiss the suit for reasons which he has stated, some of them being that the grand jury has investigated the facts relating to this and other prosecutions; that the substance of the facts as they appeared was that the witnesses were: some of them police officers, one of them was under indictment for polygamy and unlawful cohabitation, and certain other persons; that it appears from the grand jury report that a conspiracy existed by which prostitutes were employed for hire, to open houses in the city, with the agreement that they were to induce such persons as they could to visit them; among these were the officers of the United States in this Territory, and others who had taken an interest in the enforcement of the laws against polygamists. Through apertures their acts were viewed by the witnesses who instituted these prosecutions. There were also other houses, of ill repute, but these two were established for the special purpose—a crime being committed to induce others to commit crime. The object of the law was to prevent crime. The lustful passions of men were alone enough to lead many of them astray, and the history of all time showed it was necessary to restrain these passions, hence laws had been made against this indulgence, and also forbidding polygamy. All these laws were to restrain the lusts of men. It appeared that these witnesses were engaged in opening houses, and their conduct was infamous, and could not be characterized in too strong terms. The Prosecuting Attorney had moved to dismiss this action. The law gave to the Prosecuting Attorney great discretion; he was the attorney for the government and of the people, and it was his duty, after thorough investigation, to prosecute all guilty persons. Where he was satisfied the evidence was of such a character that he would not be justified in prosecuting, he could refuse. The value of evidence was to be judged by motives. If the motive was improper, the testimony of the witness was not worthy of belief. The truth could not come from impure motives. In the bosoms of some men impure motives are sufficient to overthrow the love of truth, and when a witness testifies from malice he should not be believed. Assuming that the statements of the district attorney are true, and they are to be presumed as such by the court, he is justified in not prosecuting these cases. That being so, I am disposed to allow the motion to dismiss this suit. The motion is allowed."

The Court then turned to the

## GRAND JURY

and informed them that these suits had been dismissed without prejudice, and they might investigate them. [The improbability of their doing so will never create alarm.] The court called the attention of the jurors to section 1996 of the Compiled Laws. The offenses named therein had usually been prosecuted by city governments. [Salt Lake did so until stopped by U. S. Judges.] It seemed that in this city they had become sources of revenue, and were about as well known as the hotels and churches, and were about as much frequented by the "Christian reformers" sent to Utah. The object of the law was to wipe these houses out. They should be weeded out. It was a disgrace to the city that one of the finest houses in the city was of this class and stood within a stone's-throw of the district court house. They were a sore on the body politic. The city authorities did not seem to be equal to suppressing them. The grand jury should investigate and indict every prostitute that they could—all who resided in the houses, and all who frequented them. In Utah the want of chastity was treated almost as a virtue. [By the Federal courts?] The crimes committed in these houses were of the same class as polygamy and unlawful cohabitation. One woman was sufficient for any decent man. When a man with a wife went to these houses or took another wife it was to gratify lust. It was the duty of the grand jury to indict all guilty of polygamy and unlawful cohabitation, and also of prostitution. The special attention of the jury was called to these offenses, and they should investigate them thoroughly.

The grand jury then retired, while the attention of the Court was occupied by a civil suit, and the countenances of some of the attorneys wore a smile which seemed to indicate that they had narrowly escaped some fearful fate.

**From the Northwestern States.**—Fourteen immigrants from the Northwestern States arrived in this city on Sunday evening last with the missionaries who then returned, not appearing to be in the least daunted by the threatening rumors afloat concerning affairs here.

Of the Elders who then returned we have since had visits from several, who have reported to us their experience while absent.

Elder Thomas E. King, of Kingston, Plute County, left this city to start upon his mission on the 12th of April, 1884, and labored during his absence in Michigan, Indiana and Illinois. For a little over a year last past he has presided over the Indiana Conference. During that period forty persons have been baptized there and about fifty have migrated to this Territory. Many parts in which the Elders have operated in the past with more or less success seem to be closed up entirely through the false reports circulated about the Saints and the bitter prejudice entertained towards them. In the northern part of Indiana and the southern part of Illinois the Elders are meeting with some success. There are now six Elders in Illinois and one in Indiana, and two that were lately laboring in that Conference have gone to Pennsylvania, and still two others to Iowa. All are feeling well and are energetic and zealous in their labors notwithstanding their meagre encouragement. Brother King had eggs thrown at him a few times and was ordered away from houses a number of times by bigoted, intolerant individuals or mobs, but suffered no actual violence.

Elder Soren Christiansen, of Richfield, who also left here a year ago last April, labored chiefly in Wright County, Minn., and adjacent regions, but also traveled somewhat in Wisconsin, and spent four months in Dakota. He had a varied experience, sometimes being received by the people with kindness, and at other times being ordered away from the houses at which he called to make known his message of salvation with threats of shooting. He usually found ministers to be the most intolerant and unreasonable. While traveling in Dakota he and his companion visited a community called "Brotherhoods," who consist of about thirty families, and all live in the same house, with separate bed rooms for each family and one table for the whole. They are located on the shore of the Missouri River and have two saw mills and other extensive possessions, all of which they own in common. They came from Russia about ten years ago and retain their old customs as to dress and manners. They are a very peaceable people, and are so opposed to strife and bloodshed that they will not even keep weapons of any kind in their house. They believe in the Bible, are tolerant and liberal, and seem willing to investigate other creeds. Brother Christiansen is of the opinion that many of them will yet embrace the Gospel. He learned of other similar colonies in that region but only visited the one.

Elders James Houston and James B. Heywood, both residents of Panguitch, were also among the missionaries who returned on Sunday night last, and who started upon their missions simultaneously with the others mentioned.

The first labored for six months in Indiana, then for eleven months in Michigan, and the last two months in Illinois. If an Elder's success is to be rated according to the number of strangers to whom he bears his testimony and declares the principles of the Gospel, he thinks he has been successful. The consciousness of what he has done in that line at least affords him satisfaction. He has realized the blessing of the Almighty in his preservation from oft-threatened violence, in the efforts of enemies being overruled for the spread of the truth and in the sick being healed under his administration. As an instance of the latter he relates that a young girl who was so far gone in consumption that she was given up to die was almost immediately healed when he and his companion laid hands upon her. She and her mother acknowledged the power of God in her recovery and would gladly have been baptized, but were prevented by the opposition of the husband and father.

Elder Heywood labored during his absence in six different counties of Indiana—the whole of the time in new fields. He found few who were willing to listen to his testimony or embrace the Gospel when convinced of its truth. He was several times beset by mobs, but as often delivered by a power with which man cannot cope. Upon one occasion a mob of twelve men armed with clubs went to a private house at which he was holding a meeting on the Sabbath day with the expressed determination of beating him, but the man of the house met them with a gun and threatened to shoot the first one who attempted to execute their purpose. They desisted and were subsequently prosecuted for their action, but were cleared by the jury, and both Republican and Democratic newspapers of the vicinity applauded them and expressed regret that they had not succeeded and also tarred and feathered the Elders.

An impression favorable to the Elders was created among some people of that vicinity by these circumstances, investigation of the principles followed and as a result several persons were shortly afterwards baptized. In a number of places where he traveled there is now a friendly feeling toward

the Saints, but no very marked disposition to investigate or embrace the Gospel.

## EDUCATIONAL NOTES.

BY D. R. A.

Never tell a child twice what should remember by hearing once.

"One sentence of honest praise bestowed at the right time, is worth a whole volley of scolding."—Rev. J. Cuyler.

Make it your duty to impart to your pupils at each lesson, at least one solid, good thought. It will strengthen their minds, and be an impulse to further inquiry.

Every person is a good or bad teacher according to the good or bad examples set for others to follow. Every day we are unconsciously shaping the destinies of our fellow beings. We may give good instruction with our lips, but character teaches over our heads.

"It has never ceased to be a source of wonder to me that teachers having the tremendous responsibility before them of shaping and developing the future of nations, the happiness of the race, and the growth of immortal souls, have not felt and do not feel the great necessity of the continual study of the science of education."—Colon Parker.

Children's minds are like climbing plants, which need only to be nourished and cultivated, and taught to climb for themselves; but some teachers seem to think that the minds of children are like rubber bags, to be stuffed and stretched, and stuffed again until they are so full that you can get nothing out. In this way the weaken and in a measure destroy the mind.

See that your boys are employed. Their lessons keep them busy during the five or six hours they are at school. What engages their attention afterward? How many parents make provision for the unemployed hours? How many choose their sons' companion or make sure, at any rate, that the boys do not fall into bad company. When one considers the temptation to which they are exposed, and the little pains taken by the parent to shield them from attack, it is wonderful that so many grow up pure and honest.

To fit the young for the responsibility of choosing for themselves, should be the aim of all education, from the primary school upwards; and for this purpose nothing is more essential than to habituate each pupil to hard study and close thinking. If, in our eagerness to attract the young and to smooth their paths of study, we remove from them the burdens of hard work and birding obligations, they will be unfitted to make choice for themselves either in the pursuit of a higher education, or the still more important questions that arise in every day life.

If the signs of the times be not misleading, there is going to be a growing demand for men and women who combine the educated hand with the educated head, who know how to perform some useful kind of manual labor, superior intelligence giving superior value to what they do. Those who know the best, most economical, most expeditious and, in many branches, the most artistic way to produce a certain article will be in greatest demand at the best wages. The scientific spirit of the age demands skilled hands to apply its discoveries and inventions; it is now embarrassed for want of them. It is now obliged to do the best it can to take up workmen without special training, who do their best to follow instructions. But this is not enough; men and women must be educated to the work, and the time to commence this education is when they are children.

Our Territory contains within her borders material upon which to build vast manufacturing and other industries. In the near future we hope to see these industries developed, that employment may be furnished to the large number of our young men who are now forced to seek it in the surrounding States and Territories. Are we going to sit quietly by and allow fortune seekers to come in our midst to start these industries and carry away the profits? Or will it be better for us to educate our children, that when the proper time comes, they will be prepared to take hold of these things themselves, develop them, and receive the benefits. It should be borne in mind that, other things being equal, the most successful men are the educated men, no matter what the business in which they are engaged.

## AN ANSWER WANTED.

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